

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

|                             |   |                      |
|-----------------------------|---|----------------------|
| AMERICAN LEASE INSURANCE    | ) |                      |
| AGENCY CORPORATION,         | ) |                      |
| Plaintiff                   | ) |                      |
|                             | ) |                      |
| v.                          | ) | C.A. 07-CV-30232-MAP |
|                             | ) |                      |
| BALBOA CAPITAL CORPORATION, | ) |                      |
| Defendant                   | ) |                      |

MEMORANDUM AND ORDER REGARDING  
JOINT MOTION TO AMEND SCHEDULING ORDER  
(Dkt. No. 105)

June 2, 2010

PONSOR, D.J.

Following a conference with counsel by telephone on May 28, 2010, counsel's Joint Motion to Amend Scheduling Order (Dkt. No. 105) is hereby ALLOWED. Based on counsel's representations, the court orders as follows:

1. Defendant will respond to Plaintiff's written discovery by June 8, 2010; Plaintiff will respond to Defendant's written discovery by June 15, 2010.
2. Defendant's Motion for Summary Judgment on the issue of attorney's fees will be filed by June 23, 2010 and opposed by July 21, 2010.
3. Counsel will appear for argument on the motion on July 26, 2010 at 3:30 p.m.
4. All fact discovery, including depositions, will be completed by July 30, 2010.
5. The parties will convey all expert disclosures as required by Fed. R. Civ. P. 26(a)(2) by August 20, 2010, and will conclude all expert depositions by August 31, 2010.
6. Counsel will appear for a final pretrial conference on September 21, 2010 at 2:30 p.m. At

least five (5) days prior to the conference, counsel will file final pretrial memoranda in accordance with the attached order. Please note: failure to file a final pretrial memorandum as ordered may result in default or dismissal.

7. Trial in this matter will commence on November 15, 2010 at 10:00 a.m. Counsel will appear that day at 9:00 a.m. for a conference prior to commencement of jury selection. The trial will proceed thereafter from 9:00 a.m. to 1:00 p.m.

8. Proposed voir dire questions, proposed jury instructions and motions in limine will be filed no later than November 8, 2010.

9. As noted, trial in this case is formally scheduled to commence on November 15, 2010. Counsel are hereby notified, however, that due to the court's trial docket the case may actually be called to trial on November 15, 2010, or any day during the four weeks following. Counsel should stay in touch with courtroom deputy, Theresa Pelegano, to confirm the actual date for trial.

It is So Ordered.

/s/ Michael A. Ponsor  
MICHAEL A. PONSOR  
United States District Judge